



U.S. Department
of Transportation

Research and
Special Programs
Administration

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RSFA-97-3170-3

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 11989

EXPIRATION DATE: February 28, 1998

1. GRANTEE: Department of Defense (DOD)
Washington, DC
2. PURPOSE AND LIMITATION: This emergency exemption authorizes the stowage of certain Division 1.1, 1.2 and 1.4 explosives, in the same freight container with Compressed Helium, a division 2.2 material on board vessels of the United States Air Force's Afloat Prepositioned Fleet (APF). This exemption does not provide relief from any regulation other than as specifically stated.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.504, 176.83(a), (d) and (f).
5. BASIS: This emergency exemption is based on DOD's application of October 24, 1997, submitted in accordance with 49 107.117 and a determination that it is necessary for national security.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Bombs, with bursting charge	1.1D	UN0034	II
Fuzes, detonating, with protective features	1.2D	UN0409	II
Fuzes, detonating, with protective features	1.4D	UN0410	II
Helium, compressed	2.2	UN1046	n/a

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7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - This exemption applies only to guided bombs (GBU) model GBU-24 (utilizing the MK-84 or BLU-109 2,000 pound bomb and model GBU-27 (utilizing the MK-84 2,000 pound bomb) and specifies the manner in which the component parts of each specific mode may be loaded into the same ISO container.

Guided Bomb Model Number	Component Item
GBU-24 (BLU-109)	BLU-109, 2000 pound bomb, 1.1D, UN0034; FMU -143 Fuze, 1.4D, UN0410, WGU-39 guidance control unit containing compressed helium
GBU-24 (MK-84)	MK-84, 2000 pound bomb, 1.1D, UN0034; FMU-139 Fuze, 1.2D, UN0409; WGU-30 guidance control unit containing compressed helium
GBU-27 (MK-84)	MK-84, 2000 pound bomb, 1.1D, UN0034; FMU-143 Fuze, 1.4D, UN0410; WGU-39 guidance control unit containing compressed helium

b. Packaging shall be in accordance with the following as detailed in the exemption application.

Component Item	Packaging
BLU-109, 2000 pound bomb	CNU-416/E Shipping and Storage Pallet
MK-84	Standard Bomb Shipping and Storage Pallet
FMU-139/143 Fuzes	Inside barrier bags which are placed within 20mm shipping and storage cans
WGU-39 guidance control unit	CNU-371/E Shipping and Storage Container

- c. Loading, blocking and bracing of the component items shall be in 20 foot ISO containers in accordance with: United States Army Defense Ammunition Center and School (USADACS) drawing 19-48-7113-SP15M5, "Loading and Bracing with Wooden Dunnage in Side Opening ISO Containers of Guided Bomb Units, Completer Round (2,000 Pound)". Containers must meet all applicable requirements in Title 49 Part 176.
- d. Freight containers subject to the provisions of this exemption need not be placarded with the non-flammable gas placard.
8. SPECIAL PROVISIONS:
- a. The shipper must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.
- b. This exemption serves as a Competent Authority Approval (CA-9711003) issued by the Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration (RSPA), of the United States Department of Transportation, in accordance with Section 22 of the General Introduction to the International Maritime Organization Dangerous Goods (IMDG) Code.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.
10. MODAL REQUIREMENTS:
- a. The only vessels to which this exemption applies are vessels of the United States Air Force's Afloat Prepositioned Fleet (APF). APF cargo vessels are vessels under the control of the Military Sealift Command that are specially designed and constructed to meet the need for carrying large amounts of military cargoes above and below deck. The vessels are equipped with a system to provide climate control (both temperature and humidity) of the cargo holds and deck spaces to protect the quality of the munitions.
- b. The freight containers transported in accordance with the terms of this exemption shall be stowed in cargo holds or spaces of the vessel which are climate-controlled (temperature and humidity).

c. A copy of this exemption must be carried on board each cargo vessel used to transport the hazardous materials covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Hazardous Materials transportation law, 49 U.S.C. Section 5101 et seq:


- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:


Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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